UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/071,808	02/06/2002	Steve Smith	01112	2848

7590 03/13/2003

James G. O'Neill
KLEIN, O'NEILL & SINGH
2 Park Plaza
Suite 510
Irvine, CA 92614

EXAMINER	
PHAM, LAM P	
ART UNIT	**PAPER NUMBER**
2632	

DATE MAILED: 03/13/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/071,808	SMITH ET AL.	
	Examiner	Art Unit	
	Lam P Pham	2632	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *06 February 2002* .

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-17* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-17* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☒ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *06 February 2002* is/are: a)☐ accepted or b)☒ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____ .

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

a) ☐ The translation of the foreign language provisional application has been received.

15)☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .
4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other:

DETAILED ACTION

Specification

1. The disclosure is objected to because of the following informalities:

Page 4, line 26, a pyro-electric sensor uses the same reference number "20" for designating a battery power source on page 3, line 27.

Page 7, line 11, reference number "48" should change to –39- and vice versa.

Page 7, lines 11 and 22, the "amplifier" and the "push button" use the same reference number "50".

2. The specification is objected to as failing to provide proper antecedent basis for the claimed subject matter. See 37 CFR 1.75(d)(1) and MPEP § 608.01(o). Correction of the following is required: synthesized audio, tone or voice in claims 1, 11 and 15.

Appropriate correction is required.

Drawings

3. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include the following reference sign(s) mentioned in the description, page 7, line 11: "50" for designating the amplifier. A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

4. The drawings are objected to because the reference number : "54" designating the battery in Figure 7 is not shown connected to the CMOS flip-flop as described in the disclosure, page 7, lines 22-23. A proposed drawing correction or corrected drawings

are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

5. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the "port", the "means to activate a synthesized audio output", and the "transceiver plugged into the port" must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

7. Claims 1 and 10 rejected under 35 U.S.C. 103(a) as being unpatentable over **Mehaffey et al**. (US 5,283,549) in view of **Hall et al.** (US 4,742,336).

Regarding claim 1, **Mehaffey** discloses an intrusion detection radio device including the following subject matters:

A body (14) having an infrared motion sensor (17) as seen in Figure 1.

A microprocessor (32) held in the body and connected to the infrared motion sensor; the microprocessor including means to activate an audio output in response to receipt of a signal signifying that a motion has been detected by the infrared motion sensor as seen in Figures 3; col. 2, lines 14-57, col. 4, lines 44-51 and col. 5, lines 2-32.

The body (11) including a base (12) and a back for selectively supporting the intrusion detection radio device in an upright position in an area to be monitored.

Mehaffey discloses the radio transceiver (28) is being connected to the microprocessor board (22) through a set of cables as seen in col. 5, lines 2-6. However, Mahaffey fails to expressly disclose a port in the body for plugging in a transceiver adapted to be activated by the microprocessor to receive and broadcast the audio output.

Hall et al. teach of a port on body of the portable intrusion detection warning system for plugging in a receptacle (28) of transceiver such as a standard phone which receives and transmits audio information as well as other data over a hard-wired phone line as seen in Figure 1; col. 6, lines 2-15; it has been well known to use either wired or wireless transmission such as cellular communication. The use of a separate transceiver greatly increase the versatility of the portable intrusion system since the transceiver can be placed at any desired position that provides the best possible transmission of information in order to avoid interference.

In view of Hall's teaching, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate an output port in the body of

the portable intrusion system of Mehaffey for plugging a transceiver in order to increase the versatility of the system.

Regarding claim 10, **Mehaffey** discloses the body includes an analog record/playback device (CODEC chip) therein as seen in col. 7, lines 31-54; and a front with an opening formed therein, and the infrared motion detector (17) extends through the opening as seen in Figures 1 and 2.

8. Claims 2-9 and 11-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Mehaffey et al**. (US 5,283,549) in view of **Hall et al.** (US 4,742,336) and **Conklin** (US 4,059,832).

Regarding claim 2, **Mehaffey** discloses the body includes an internal power source (27) as seen in Figure 2; col. 4, lines 52-64 .

However, **Mehaffey and Hall** still fails to disclose the back of the body includes a securing means.

Conklin teaches of a securing means on the back of a portable intrusion device for mounting onto a shelf, a door and other structures as desired as seen in Figures 1, 3, 5 and 6.

In view of Conklin's teaching, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate such securing means onto the back of the body of the portable intrusion device of Mehaffey in order to mount the device to different desired position and location in the house to meet the user's application.

Regarding claim 3 and 4, it would be obvious to one of ordinary skill in the art to provide the securing means on the back of the body with a variety of options such as a hook, a loop fastener, a magnetic holding strip, a bracket or a mounting plate with screws to facilitate the attachment of the intrusion alarm to different surfaces, location, position either permanently or detachably as they have been well known.

Regarding claim 5, **Mehaffey** discloses the body includes an analog record/playback device (CODEC chip) therein as seen in col. 7, lines 31-54; and a front with an opening formed therein, and the infrared motion detector (17) extends through the opening as seen in Figures 1 and 2.

Regarding claim 6, **Mehaffey** discloses the intrusion detection radio device includes a battery power source (27), and the microprocessor includes a means to switch power on and off to prolong the battery life as seen in col. 8, lines 42-58.

Regarding claim 7, **Mehaffey and Hall** both fails to disclose the back of the body includes a securing means.

Conklin teaches of a securing means on the back of a portable intrusion device for mounting onto a shelf, a door and other structures as desired as seen in Figures 1, 3, 5 and 6.

In view of Conklin's teaching, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate such securing means onto the back of the body of the portable intrusion device of Mehaffey in order to mount the device to different desired position and location in the house to meet the user's application.

Regarding claim 8 and 9, it would be obvious to one of ordinary skill in the art to provide the securing means on the back of the body with a variety of options such as a hook, a loop fastener, a magnetic holding strip, a bracket or a mounting plate with screws to facilitate the attachment of the intrusion alarm to different surfaces, location, position either permanently or detachably as they have been well known.

Regarding claim 11, **Mehaffey** discloses an intrusion detection radio device including the following subject matters:

A body (14) having an infrared motion sensor (17) as seen in Figure 1.

The body including a base, a front, two sides, a top and a back;

A microprocessor (32) held in the body and connected to the infrared motion sensor and a battery held in the body (27); the microprocessor including means to activate a tone or voice recorded on a device held in the body, in response to receipt of a signal signifying that a motion has been detected by the infrared motion sensor as seen in Figures 3; col. 2, lines 14-57, col. 4, lines 44-51 and col. 5, lines 2-32.

Mehaffey discloses the radio transceiver (28) is being connected to the microprocessor board (22) through a set of cables as seen in col. 5, lines 2-6. However, Mahaffey fails to expressly disclose a port in the body for plugging in a transceiver adapted to be activated by the microprocessor to receive and broadcast the tone or voice.

Hall et al. teach of a port on body of the portable intrusion detection warning system for plugging in a receptacle (28) of transceiver such as a standard phone which

receives and transmits audio information as well as other data over a hard-wired phone line as seen in Figure 1; col. 6, lines 2-15; it has been well known to use either wired or wireless transmission such as cellular communication. The use of a separate transceiver greatly increase the versatility of the portable intrusion system since the transceiver can be placed at any desired position that provides the best possible transmission of information in order to avoid interference.

In view of Hall's teaching, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate a port in the body of the portable intrusion system of Mehaffey for plugging a transceiver in order to increase the versatility of the system.

Mehaffey and Hall still fail to disclose a means mounted on the back of the body for supporting the body on a vertical surface.

Conklin teaches of a securing means on the back of a portable intrusion device for mounting onto a shelf, a door and other structures as desired as seen in Figures 1, 3, 5 and 6.

In view of Conklin's teaching, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate such securing means onto the back of the body of the portable intrusion device of Mehaffey in order to mount the device to different desired position and location in the house to meet the user's application. rejected for the reasons explained in claims 1 and 6-7 above.

Regarding claim 12-13, it would be obvious to one of ordinary skill in the art to provide the securing means on the back of the body with a variety of options such as a

hook, a loop fastener, a magnetic holding strip, a bracket or a mounting plate with screws to facilitate the attachment of the intrusion alarm to different surfaces, location, position either permanently or detachably as they have been well known.

Regarding claim 14, **Mehaffey** discloses the body includes an analog record/playback device (CODEC chip) therein as seen in col. 7, lines 31-54 and the microprocessor includes a means to switch power on and off to prolong the battery life as seen in col. 8, lines 42-58.

Regarding claim 15, **Mehaffey** discloses an intrusion detection radio device including the following subject matters:

A body having a base, a front, two sides, a top and a back;

An infrared motion sensor (17) held in the body and extending through an opening formed in the front as seen in Figure 1.

A microprocessor (32) held in the body and connected to the infrared motion sensor and a battery held in the body (27); the microprocessor including means to activate a tone or voice recorded on a device held in the body, in response to receipt of a signal signifying that a motion has been detected by the infrared motion sensor as seen in Figures 3; col. 2, lines 14-57, col. 4, lines 44-51 and col. 5, lines 2-32.

Mehaffey discloses the radio transceiver (28) is being connected to the microprocessor board (22) through a set of cables as seen in col. 5, lines 2-6. However, Mahaffey fails to expressly disclose a port in the body for plugging in a transceiver

adapted to be activated by the microprocessor to receive and broadcast the tone or voice.

Hall et al. teach of a port on body of the portable intrusion detection warning system for plugging in a receptacle (28) of transceiver such as a standard phone which receives and transmits audio information as well as other data over a hard-wired phone line as seen in Figure 1; col. 6, lines 2-15; it has been well known to use either wired or wireless transmission such as cellular communication. The use of a separate transceiver greatly increase the versatility of the portable intrusion system since the transceiver can be placed at any desired position that provides the best possible transmission of information in order to avoid interference.

In view of Hall's teaching, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate a port in the body of the portable intrusion system of Mehaffey for plugging a transceiver in order to increase the versatility of the system.

Mehaffey and Hall still fail to disclose a means mounted on the back of the body for supporting the body on a vertical surface.

Conklin teaches of a securing means on the back of a portable intrusion device for mounting onto a shelf, a door and other structures as desired as seen in Figures 1, 3, 5 and 6.

In view of Conklin's teaching, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate such securing means onto the back of the body of the portable intrusion device of Mehaffey in order to mount the

device to different desired position and location in the house to meet the user's application. rejected for the reasons explained in claims 1 and 6-7 above.

Regarding claim 16-17, it would be obvious to one of ordinary skill in the art to provide the securing means on the back of the body with a variety of options such as a hook, a loop fastener, a magnetic holding strip, a bracket or a mounting plate with screws to facilitate the attachment of the intrusion alarm to different surfaces, location, position either permanently or detachably as they have been well known.

Conclusion

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Kotlicki et al. (US 4,604,524) disclose a passive infrared sensor.

Zdunich (US 5,546,071) discloses a conceal security system.

Schuman, Sr. et al. (US 5,341,123) disclose a portable door alarm.

Mondejar et al. (US 6,154,130) disclose a portable room security system.

Kim (US 6,278,884) discloses a portable information communication device.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lam P Pham whose telephone number is 703-306-4181. The examiner can normally be reached on 8AM-6PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel J Wu can be reached on 703-308-6730. The fax phone numbers for

the organization where this application or proceeding is assigned are 703-306-6743 for regular communications and 703-306-6743 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

Lam Pham
March 7, 2003

DANIEL J. WU
PRIMARY EXAMINER
03/07/03